

Scoping Workshop for Basin Plan Implementation Program (plan for regulating onsite systems)

Central Coast Water Board Scoping Workshop
November 14, 2008
Sorrel Marks

Workshop Procedures

1. Sign-In sheet
2. Handouts for notes/cards for comments
3. Overview of issues (slides)
4. Parking lot for comments and ideas
5. Question/answer period

Terms used in this presentation

1. Basin Plan = Water Quality Control Plan-Central Coast Basin, Water Board regulatory, policy and guidance document
2. EO = Executive Officer of the Central Coast Water Board
3. MOU = Memorandum of Understanding
4. OAL = State Office of Administrative Law
5. Onsite System = typically a septic system, can include other types of small systems that treat and discharge wastewater to the surrounding soil
6. Onsite Wastewater Management Plan = local agency plan to evaluate and control onsite discharges
7. State Board = State Water Resources Control Board
8. WDR = Waste Discharge Requirements, permit for using onsite system
9. Waiver = policy authorizing discharge without Waste Discharge Requirements

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or your Water Board area representative

Website: www.waterboards.ca.gov/centralcoast/

Purpose of Workshop

- Seek input on alternative implementation tools
- Seek input potential environmental impacts
- Receive comments and questions
- Provide information regarding future process
- Provide resources for more information
- Not a review of Onsite Criteria

Criteria vs. Implementation

➤ Criteria = measure of compliance

- rules for siting, design, construction, maintenance and management
- criteria updated by Regional Board May 9, 2008
- State Board review on hold for clarification of implementation

➤ Implementation = method of compliance

- Conditional waiver scheduled for consideration by Water Board
- Pulled from May 9, 2008, agenda (improper to adopt waiver in the manner proposed)
- Proper manner for Water Board consideration is in the form of a Basin Plan amendment
- Issue for today - What should that amendment contain?
- Water Board to consider Basin Plan amendment next spring

Current Situation

- Water Code requires authorization for discharge
- Authorization in WDR or Waiver of WDR
- Waiver implemented through MOUs (25 yrs)
- Waivers expired in 2004
- Voluntary compliance with Basin Plan criteria
- Inconsistent with Water Code requirements
- Individual WDR cumbersome & expensive

Implementation Program Objectives

- Ongoing protection of water quality
- Consistent compliance with Basin Plan criteria
- Streamline permitting of onsite systems
- Update MOU with local permitting agencies

Implementation Program

- Conditionally waive WDR for onsite systems
- Require compliance with Basin Plan criteria
- Authorize EO to enroll & terminate enrollment
- Water Board & Local Agency enter into MOU
- Local Onsite Wastewater Management Plans
- Local permitting implemented

Water Board's CEQA Process

- Certified regulatory program under CEQA
- Exempt from preparing EIR or Negative Declaration
- Reports substitute for environmental documents
- Substitute environmental document:
 - Includes environmental checklist
 - Identifies potentially significant environmental impacts
 - Identifies alternatives and mitigation measures if necessary
 - Identifies reasonably foreseeable means of compliance and impacts, if any
- Scoping meeting is to receive input on these areas of a substitute environmental document

Conditions for Waived Systems

Without Onsite Mgmt Plan

- Submittal of application
- \$400 fee (set by State Board)
- Application documents consistency with Basin Plan
- Staff review & enrollment
- Local permitting procedures

With MOU & Onsite Mgmt Plan

- Application waived
- No application fee
- System consistent with local onsite management plan and Basin Plan
- Local permitting procedures

Work Outstanding

- Develop MOUs with local permitting agencies
- Assist local agencies with onsite mgmt plans
- New onsite systems - continue status quo for limited time (1 year) while developing MOUs and onsite management plans

Implementation Program Development Schedule

- ~12/9/08 Draft Program available for review
- ~1/23/09 Comments on draft policy due
- ~3/5/09 Staff Report available for review
- ~3/20/09 Water Board public hearing (Salinas)
- ~Fall 09 State Board & OAL review & approval
- Ongoing Develop MOUs with local agencies and assist with onsite management plans

Comments & Questions

- on Implementation Program?
- on Waiver Conditions?
- on Environmental Impacts?
- Comments incorporated into subsequent Staff Report, no individual response at this stage
- Recording comments: notes, flip chart, cards

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